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AUG 22 2005
U.S. PATENT & TRADEMARK OFFICE
Customer No. 30358

PATENT
IFW/S

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:)
Dwight J. Smith)
Application No.: 10/647,763)
Confirmation No.: 2787)
Filing Date: August 25, 2003)
For: FOOD AND BEVERAGE TRAY)
Examiner: Elkins, Gary E.
Art Unit: 3727

AMENDMENT TRANSMITTAL

MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith is an Amendment in the above-identified Application. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. No new claims have been added. No new subject matter has been added.

A credit card payment form for payment in the amount of \$1,080.00 is included herewith as payment for a five (5) month extension of time, and petition for the same is hereby made.

Applicants believes that no further fee is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for an additional petition for extension of time or other fee.

The Commissioner is hereby authorized to charge any deficiencies in these fees to Deposit Account No. 502062. A duplicate copy of this sheet is attached.

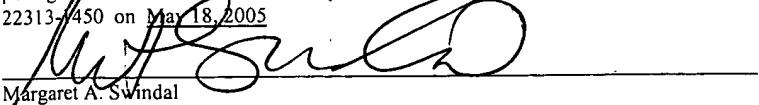
Respectfully submitted,

Date: August 18, 2005

By: 
Marc D. Machtinger, Reg. No. 43,434
Law Office of Marc D. Machtinger, Ltd.
Phone: (847) 537-3537 Customer No. 30358

CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS AMENDMENT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 18, 2005


Margaret A. Swindal